

OLL85-3718/6
24 December 1985

MEMORANDUM FOR: DDA
SA/DDA
Comptroller/D. Childs
DD/OP/[REDACTED]
PSD/OS/[REDACTED]
NIO/FDIA/Fred Hutchinson
Counsel to the DO
[REDACTED]/OGC

FROM: [REDACTED]
Chief, Legislation Division/OLL

SUBJECT: Finalized Version of Diplomatic Security Act

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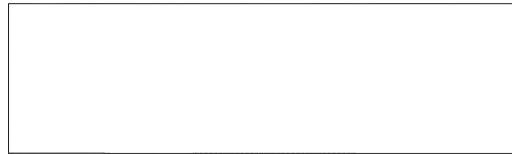
1. Attached for your information is the final copy of State Department's Diplomatic Security Act which was transmitted to Congress on 19 December 1985. This bill was approved by the Office of Management and Budget (OMB) and was forwarded to Congress with the full support of the Administration.

2. As you can see in the attached draft at Tab A, the Agency was successful in adding language to Section 101(d) that makes clear that nothing in this Act is intended to limit or impair CIA's existing security responsibilities for CIA personnel, information and activities. The sectional analysis accompanying this provision specifically notes that this intelligence exception excludes from the Act's application any CIA facilities not colocated with missions of a diplomatic nature. In addition, in selecting the membership of the Accountability Review Boards (ARB) authorized by this act, the DCI will designate a member in each case in which a board is convened and, in cases involving intelligence sources and methods, will jointly designate with the Secretary of State all members of the board.

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3. Also attached for your review at Tab B is a bill on this same subject of diplomatic security introduced by Representatives Mica and Snowe of the House Foreign Affairs Committee (HFAC). This bill was introduced on 16 December 1985 prior to the Administration's submission. Also attached is Representative Snowe's introductory statement in which she notes her unhappiness with the OMB clearance process, which delays eventually forced her and Chairman Mica to introduce their own legislation on this subject. This HFAC legislation does not contain any of the above exceptions ensuring that CIA equities are protected during this ARB process.

4. We will closely follow the progress of this legislation in the next session of Congress to ensure that the Agency's equities are protected and will keep you apprised of developments in this regard.



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Attachments:

Tab A - Cover Letters, Draft Bill and Analysis

Tab B - Summary of Principal Findings & Recommendations of
the Inman Panel and Introduction of Bill by
Representatives Mica and Snowe

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